

# Notice of Allowability

Application No.

10/649,916

Examiner

Ruth C Rodriguez

Applicant(s)

HSIAO, RAY-LING

Art Unit

3677

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 07 March 2005.
2. ☒ The allowed claim(s) is/are 1-3, 10, 5-8 and 11 that will be renumbered 1-9.
3. ☒ The drawings filed on 28 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.  |

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### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bruce H. Troxel on 12 May 2005.

The application has been amended as follows:

Page 1, line 3, "pending" has been deleted.

Page 1, line 4, --, now abandoned --has been inserted between 10/002,204 and the ending period

Claim 1, line 6, "substantially" has been deleted and "which" has been replaced with --a length--.

Claim 1, line 7, "which" has been replaced with --a width--.

Claim 1, line 11, "side" has been replaced with --end--.

Claim 1, line 16, "the upper side" has been replaced with --an upper end--.

Claim 1, line 21, --width of the-- has been inserted between "the" and "slot"

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Claim 1, line 32, "paper clip" has been replaced with "width of the first clipping piece".

Claim 5, line 5, --with a length and a width-- has been inserted between "type" and the semicolon.

Claim 5, line 8, "and" has been deleted, --length of the-- has been inserted between "the" (second occurrence) and "second" and --length of the has been inserted after "the" (third occurrence).

Claim 5, line 9, --, and the width of the second clipping piece being smaller than the width of the sunken slot of the first clipping piece-- has been inserted between "piece" and the semicolon.

Claim 5, line 15, "the paper clip" has been replaced with --a width of the first clipping piece--.

The following is an examiner's statement of reasons for allowance:

For claim 1, King et al discloses a paper clip comprising a first clipping piece, a support beam and a second clipping piece. The first clipping piece has a slot therethrough. The slot extends from a first end along a length direction to a position apart from a second end such that a length of the slot is substantially shorter than a length of the first clipping piece. The slot further has a width smaller than a width of the first clipping piece. The support beam has an inner surface adjoining the slot, an outer surface opposite to the inner surface, a lower side and an upper side. The support

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beam has its lower end adjoined to the first end of the first clipping piece and extends along a height direction that is perpendicular to the length direction. The lower side of support beam has a width that is the same as that width of the first clipping piece. The second clipping piece has a fixed end and a free end along the length direction. The second clipping piece has its fixed end adjoined to an upper end of the support beam and extends along the length direction in such a manner that a length distance between the free end and the support beam is no longer than the length of the slot. The second clipping piece further has a width that is smaller than the slot. The inner surface of the support beam is a flat plane in perpendicular to the length direction such that the inner surface substantially provides a guiding function. A projection of the first end of the first clipping piece does not overlap with a projection of the fixed end of the second clipping piece in the height direction. King fails to disclose that the second clipping piece has a curved part that is partially located within the slot. Although Hirzel teaches a clip comprising a first clipping piece, a support beam and a second clipping piece where the second clipping piece has a curved part that is partially located within the slot so that the curved part of the second clip piece allows easy gripping, King and Hirzel fail to disclose that the support beam having an upper end connected to the second clipping piece and a lower end connected to the first clipping piece also is as wide as the width of the first clipping piece. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time the invention was made to have a support beam with an upper end connected to the second clipping piece and a lower end connected to the

first clipping piece where the width of the support beam is as wide as the width of the first clipping piece.

Regarding claim 5, King discloses a paper clip comprising a first clipping piece, a second clipping piece and a support beam. The first clipping piece has a thin plane shape with a sunken slot and being a lower part of the paper clip. The sunken slot is as a hollow type with a length and a width. The second clipping piece has a thin plane shape and being an upper part of the paper clip. The second clipping piece is protruded downward to the sunken slot of the first clipping piece. The length of the second clipping piece is smaller than the length of the sunken slot of the first clipping piece and the width of the second clipping piece is smaller than the width of the sunken slot of the first clipping piece. The support beam has a vertical plane with certain height and individually connecting to the first and second clipping pieces in top view. Connected ends of the support beam and the clipping pieces are located on an opposite side to a side where documents being inserted in a rear end of said sunken slot of the first clipping piece are merged with the support beam. King fails to disclose that the support beam is as wide a width of the first clipping piece. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time of applicant's invention to have a support beam with connected ends of the support beam and the clipping pieces where the width of the support beam is as wide as the width of the first clipping piece.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hart (US 3,502,251), Tsuji (US D311,212), King et al. (US 4,761,935), Sungberg (US 5,179,765), Hirzel (US 5,214,825), Rosen (US D464,994 S) and Spoto (US 6,698,695 B10 are cited to show state of the art with respect to clips having some of the features being claimed by the current application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

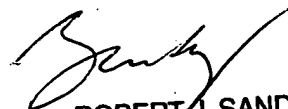
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez  
Patent Examiner  
Art Unit 3677

*ReR*  
rcr

May 13, 2005

  
ROBERT J. SANDY  
PRIMARY EXAMINER